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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,951	11/21/2003	Carlton Lane	MSFT-2787/303656.01	2907
23377 7590 01/08/2008 WOODCOCK WASHBURN LLP CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER TECKLU, ISAAC TUKU	
			ART UNIT 2192	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,951

Applicant(s)

LANE ET AL.

Examiner

Isaac T. Tecklu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-29 and 31-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-29 and 31-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the Request for Continued Examination filed on 12/10/07.
2. Claims 1-2, 4-5, 9-10, 13-14, 19-21, 23-24, 27-29, 31-33 and 38 have been amended.
3. Claims 11 and 30 have been cancelled.
4. Claims 1-10, 12-29 and 31-38 have been examined.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/07/2007 has been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-10, 12-29 and 31-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder (US 6,358,552 B2) in view of Sinn (US 6,732,089 B1, art made of record).

As per claim 1 (Currently amended), Snyder discloses a method for deploying at least one stored procedure to a device (col. 19:59-62 "... device database ..."), the method comprising:

generating a data project (e.g. FIG. 2, step 5 and related text) and a device database within a solution (col. 16:5-20 "... build local tables for test conditions and test limits ...");

associating the data project with the device database (col. 7:15-30 "... tables for a test can bet ... dependent variables ... data in these tables can be dependent upon the indicated values ...");

adding the at least one stored procedure to the data project; (e.g. FIG. 2, step 8 and related text)

receiving a request to build the solution, and, responsive to the request; (col. 27:45-55 "... response to a user request ...");

automatically embedding each stored procedure (col. 16:45-50 "... utilize fully functional SQL ..." and e.g. Fig. 2, step 5 and related text) into a device database (col. 6: 40-50 "... data to be stored in normalized relational database ..." col. 19:59-62 "... device database ..." and e.g. FIG. 2, step 9 and related text);

automatically deploying the device database to the device with the at least one embedded stored procedure as a single unit (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ..." and e.g. Fig. 2, step 8 and related text).

Snyder does not explicitly disclose registering each stored procedure with the device database. However, Sinn discloses a method, apparatus and program storage device for enabling SQL statement access to remote system specific data and functions is provided. Snyder discloses a different conventional approach for accessing system specific information is an SQL stored procedure. With this approach, as detailed in FIG. 3, specific procedure programs 301 are stored on a server 303. The client 305 can then use an SQL statement to invoke the stored procedure on the server side. For example, a procedure program 301 must be created and registered using an SQL statement creates procedure. Therefore it would have been obvious to one skilled in the art at the time of the invention was made to combine Snyder and Sinn to invoke the stored procedure on the server side to obtain system specific data under secured environment using the signature of the stored procedure as once suggested by Sinn (col. 2: 15-30).

As per claim 2 (Currently amended), Snyder discloses the method of claim 1, further comprising compiling code for the at least on stored procedure (col. 2:23-30 "... recompiling the code ...").

As per claim 3, Snyder discloses the method of claim 1, comprising embedding a trigger into the device database (e.g. FIG. 2, step 16 and related text).

As per claim 4 (Currently amended), Snyder discloses the method of claim 1, further comprising reserving data storage capacity for the at least on stored procedure within the device database (e.g. FIG. 1, storage 300 and related text).

As per claim 5 (Currently amended), Snyder discloses the method of claim 1, further comprising:

determining whether the at least on stored procedure has been previously embedded on the database (e.g. FIG. 2, step 4 and related text); and

if the at least on stored procedure has been previously embedded, then removing the previously embedded stored procedure (col. 32:35-39 "... overwriting..." and e.g. FIG. 2, step 5 and related text).

As per claim 6, Snyder discloses the method of claim 1, comprising deploying the device database to the device as part of a main device project (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ...").

As per claim 7, Snyder discloses the method of claim 1, comprising deploying the device database to the device as part of a device setup project (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ...").

As per claim 8 (Currently Amended), Snyder discloses the method of claim 1, comprising registering the stored procedure with the device database at the device after the device database is deployed with the at least one embedded stored procedure to the device (col. 17:40-50 "... registered with test set database ..." and e.g. Fig. 2, step 5 and related text).

As per claim 9 (Currently amended), Snyder discloses a method for deploying a stored procedure to a device, the method comprising:

providing a first interface that enables a data project, and a device database to be generated within a solution, the first interface further enabling the data project to be associated with the device database (col. 16:5-20 "... build local tables for test conditions and test limits ...") and; embedding the assembly within the device database (col. 19:59-63, col. 16:5-12, col. 30:32-35);

providing a second interface that enables the at least one stored procedure to be added to an assembly within the data project (e.g. FIG. 2, step 8 and related text);

receiving a request to build the solution, and, responsive to the request (col. 27:45-55 "... response to a user request ...");

automatically deploying the device database to the device (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ...").

Snyder does not explicitly automatically disclose registering each stored procedure with the device database. However, Sinn discloses a method, apparatus and program storage device for enabling SQL statement access to remote system specific data and functions is provided.

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Snyder discloses a different conventional approach for accessing system specific information is an SQL stored procedure. With this approach, as detailed in FIG. 3, specific procedure programs 301 are stored on a server 303. The client 305 can then use an SQL statement to invoke the stored procedure on the server side. For example, a procedure program 301 must be created and registered using an SQL statement create procedure. Therefore it would have been obvious to one skilled in the art at the time of the invention was made to combine Snyder and Sinn to invoke the stored procedure on the server side to obtain system specific data under secured environment using the signature of the stored procedure as once suggested by Sin (col. 2: 15-30).

As per claim 10 (Currently amended), Snyder discloses the method of claim 9, further comprising providing an interface displaying a view of the at least one stored procedure (e.g. FIG. 3, 1200 and related text).

As per claim 12 (Currently amended), Snyder discloses the method of claim 10, wherein the second interface enables the at least one stored procedure to be deleted from the (col. 17:31-39, col. 30:9-11).

As per claim 13 (Currently amended), Snyder discloses the method of claim 9, further comprising providing an interface displaying a view of properties of the at least one stored procedure (e.g. FIG. 3, 1200 and related text)..

As per claim 14, Snyder discloses the method of claim 9, further comprising compiling code for the stored procedure (col. 2:23-30 "... recompiling the code ...").

As per claim 15, Snyder discloses the method of claim 9, comprising embedding the assembly within the device database, the assembly comprising a trigger (e.g. FIG. 2, step 16 and related text).

As per claim 16, Snyder discloses the method of claim 9, further comprising: determining whether the assembly has been previously embedded on the device database (e.g. FIG. 2, step 4 and related text); and

if the assembly has been previously embedded, then removing the previously embedded assembly (col. 32:35-39 "... overwriting..." and e.g. FIG. 2. step 5 and related text).

As per claim 17, Snyder discloses the method of claim 9, comprising deploying the device database to the device as part of a main device project (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ...").

As per claim 18, Snyder discloses the method of claim 9, comprising deploying the device database to the device as part of a device setup project (col. 30:4-6, 32-39, 51-56 "... setup, install, project, device ...").

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As per claim 19 (Currently amended), Snyder discloses the method of claim 9, comprising registering the at least one stored procedure with the device database at the device after the device database has been deployed with the embedded assembly to the device(col. 17:40-50 "... registered with test set database ..." and e.g. Fig. 2, step 5 and related text).

As per claim 20, this is the computer readable medium version of the claimed method discussed above (Claim 1), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 21, this is the computer readable medium version of the claimed method discussed above (Claim 2), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 22, this is the computer readable medium of the claimed method discussed above (Claim 3), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 23, this is the computer readable medium of the claimed method discussed above (Claim 4), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 24, this is the computer readable medium of the claimed method discussed above (Claim 5), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 25, this is the computer readable medium of the claimed method discussed above (Claim 6), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 26, this is the computer readable medium of the claimed method discussed above (Claim 7), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 27, this is the computer readable medium of the claimed method discussed above (Claim 8), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 28, this is the computer readable medium of the claimed method discussed above (Claim 9), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 29, this is the computer readable medium of the claimed method discussed above (Claim 10), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 31, this is the computer readable medium of the claimed method discussed above (Claim 12), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 32, this is the computer readable medium of the claimed method discussed above (Claim 13), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 33, this is the computer readable medium of the claimed method discussed above (Claim 14), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 34, this is the computer readable medium of the claimed method discussed above (Claim 15), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 35, this is the computer readable medium of the claimed method discussed above (Claim 16), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 36, this is the computer readable medium of the claimed method discussed above (Claim 17), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 37, this is the computer readable medium of the claimed method discussed above (Claim 18), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

As per claim 38, this is the computer readable medium of the claimed method discussed above (Claim 19), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious over Snyder.

Response to Arguments

8. Applicant's arguments filed 06/20/07 have been fully considered but they are not persuasive.

In the Remark, the Applicant argues:

Applicant submits that Snyder's method does not involve automatically embedding each

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stored procedure in the data project into the device database, automatically registering each stored procedure in the data project with the device database (page 10 of 11).

Examiner's Response:

In *re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) (Appellant argued that claims to a permanent mold casting apparatus for molding trunk pistons were allowable over the prior art because the claimed invention combined "old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.). See MPEP 2144.04 (III).


Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac T. Tecklu whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isaac Tecklu
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ERIC B. KISS
PRIMARY EXAMINER